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July 25, 2003

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

July 25, 2003

Date

Steven L. Highlander

MS SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 09/888,233 entitled "ASSAY FOR TOXIN INDUCED NEURONAL DEGENERATION AND VIABILITY IN C. ELEGANS" – Randy D. Blakely et al.*

Our reference: VBLT:007US

Client reference: VU0135

Sir:

Please find enclosed:

- (1) A Response to Notice to Comply with Office Communication mailed June 25, 2003;
- (2) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (3) Computer Readable Form of Sequence Listing;
- (4) Paper Copy of Sequence Listing;
- (5) Copy of Notice to Comply with Office Communication; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

25320253.1

Commissioner for Patents
July 25, 2003
Page 2

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:007US.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642

SLH/mar
Encl: as noted



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Randy D. Blakely et al.

Serial No.: 09/888,233

Filed: June 22, 2001

For: ASSAY FOR TOXIN INDUCED
NEURONAL DEGENERATION AND
VIABILITY IN C. ELEGANS

Group Art Unit: 1632

Examiner: Peter Paras, Jr.

Atty. Dkt. No.: VBLT:007US

CERTIFICATE OF MAILING
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July 25, 2003

Date

Steven L. Highlander

RESPONSE TO NOTICE TO COMPLY WITH OFFICE COMMUNICATION

MS SEQUENCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to Comply with Office Communication, dated June 25, 2003, there are enclosed herewith:

- (a) Response to Notice to Comply with Office Communication;
- (b) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (c) Computer Readable Form of Sequence Listing;

(d) Paper Copy of Sequence Listing;

(e) A copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason

relating to these materials, the Commissioner is authorized to deduct the appropriate fees from

Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:007US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: July 25, 2003

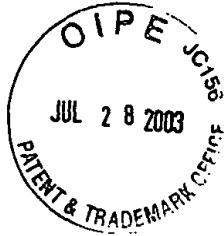


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,233	06/22/2001	Randy D. Blakely	VBLT:007US	7536

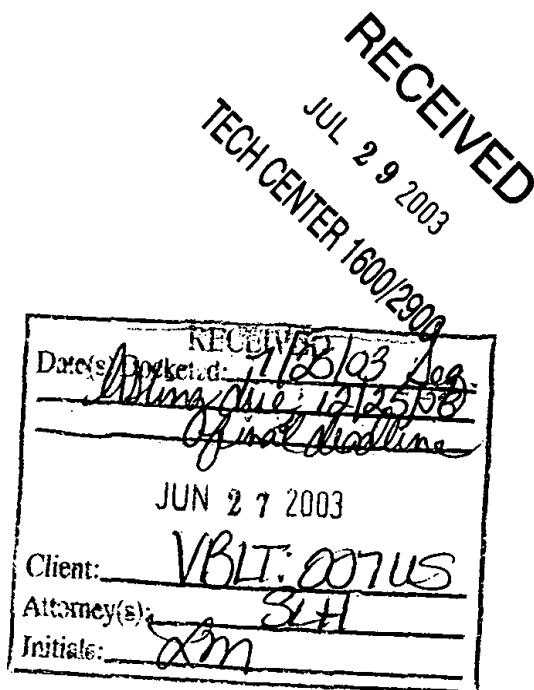
7590 06/25/2003
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Austin, TX 78701



EXAMINER	
PARAS JR, PETER	
ART UNIT	PAPER NUMBER
1632	14

DATE MAILED: 06/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.





UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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DATE MAILED:

EXAMINER

ART UNIT PAPER

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 4/15/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The instant application is still not in sequence compliance because of the unidentified sequences on page 32 of the specification. In addition, neither the paper nor computer readable form of the sequence listing embraces the sequences recited on page 32 of the specification. Finally, the specification should be amended to include appropriate sequence identifier numbers that correlate to the sequences on page 32 of the specification. Accordingly, the instant application does not comply with 37 CFR 1.821 through 1.825. See the attached Notice to Comply. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

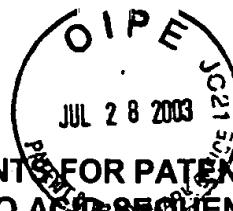
Any inquiry concerning this communication or earlier communications from the examiner(s) should be directed to Peter Paras, Jr., whose telephone number is 703-308-8340. The examiner can normally be reached Monday-Friday from 8:30 to 4:30 (Eastern time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Reynolds, can be reached at 703-305-4051. Papers related to this application may be submitted by facsimile transmission. Papers should be faxed via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center numbers are (703) 308-4242 and (703) 305-3014.

Inquiries of a general nature or relating to the status of the application should be directed to Dianiece Jacobs whose telephone number is (703) 305-3388.

Peter Paras, Jr.
Art Unit 1632

PETER PARAS
PATENT EXAMINER



Application No.:09/888,233

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: there are unidentified sequences on page 32 of the specification.

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Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
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To Purchase PatentIn Software.....703-306-2600

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